

**Minutes of the Board of Adjustment of the  
Township Of Hanover  
SEPTEMBER 18, 2014**

Chairman Benjamin Stanziale called the Meeting to order at 7:34PM and The Open Public Meetings Act statement was read into the record:

Board Secretary, Kimberly A. Bongiorno, LUA, took the Roll Call.

In attendance were Members: Fomchenko, Hingos, Linfante, Neidhardt, Olsen, Stanziale and Vigilante

Absent were Members: Caruso, Donaldson

Also present were Board Attorney, Daniel Bernstein, Township Planner Blais Brancheau, PP and Township Engineer, Gerardo Maceira, PE.

**Cases Presented**

**I. RESOLUTION TO BE MEMORIALIZED**

<b>1)</b>	<b>CASE NO.</b>	1749
	<b>APPLICANT</b>	David Dutcher
	<b>OWNER</b>	David B. Dutcher & Lisa M. Corsi
	<b>LOCATION:</b>	54 Oak Boulevard Cedar Knolls
	<b>BLOCK:</b> 1311	<b>LOT:</b> 6
		<b>ZONE:</b> R-10

Applicant requested to construct a second story addition. Applicant also proposed to replace the existing patio with a deck and install a new patio and pool. Applicant sought "C" & "D" Variance relief from sections 166-176A, 166-176B, 166-176C, 166-167B AND 166-154C. Amended application approved August 21, 2014.

Approved as written (Driveway Variance)

Moved by Member Vigilante, Seconded by Member Hingos

Members Voting "AYE" Vigilante, Hingos, Neidhardt

Members Voting "NO" None

Approved as written (Additions to Home, Swimming Pool, Patio and Deck)

Moved by Member Fomchenko, Seconded by Member Neihardt

Members Voting “AYE” Vigilante, Fomchenko, Olsen, Hingos and Neidhardt

Members Voting “NO” None

Approved as written (Shed Setback Variance)

Moved by Member Fomchenko, Seconded by Member Neidhardt

Members Voting “AYE” Vigilante, Fomchenko, Olsen, Hingos and Neidhardt

Members Voting “NO” None

2)	<b>CASE NO.</b>	1753
	<b>APPLICANT/OWNER</b>	Stephen Meier
	<b>LOCATION:</b>	40 Woodland Ave. Whippany
	<b>BLOCK:</b> 9202	<b>LOT:</b> 9
		<b>ZONE:</b> R-40

Applicant requested to construct a second story addition above the existing first floor and perform interior alterations on existing first floor. Applicant sought relief from sections 166-167B, 166-114B6, 166-114B10 as well as any and all other variances that may have been required. Application approved August 21, 2014.

Approved as written

Moved by Fomchenko, Seconded by Neidhardt

Members Voting “AYE” Fomchenko, Olsen, Hingos, Neidhardt and Chairman Stanziale

Members Voting “NO” None

**II. MINUTES** – August 21, 2014

Deferred to a later date

**III. PUBLIC HEARINGS**

1)	<b>CASE NO.</b>	1747
	<b>APPLICANT</b>	GREATER MORRISTOWN YMCA
	<b>OWNER</b>	SADDLE RD. LLC
	<b>LOCATION:</b>	25 SADDLE RD. CEDAR KNOLLS
	<b>BLOCK:</b> 701	<b>LOT:</b> 9
		<b>ZONE:</b> I

Applicant is seeking Preliminary and Final Site Plan “C” and “D” variances to construct A Greater Morristown YMCA Youth Annex on currently vacant land located at the above address. **APPLICATION CARRIED BY LETTER TO NOVEMBER 20, 2014**

Secretary Bongiorno read the letter from the applicant attorney into the record.

<b>2)</b>	<b>CASE NO.</b>	1755
	<b>APPLICANT</b>	Brian Griffin
	<b>OWNER</b>	Brian and Jacqueline Griffin
	<b>LOCATION:</b>	119 Wilson Place Whippany
	<b>BLOCK:</b> 8502	<b>LOT:</b> 13
		<b>ZONE:</b> R-15

Applicant is requesting to build a one story two car detached garage. Applicant is seeking relief from sections 166-114B(1), 166-114B(2), 166-114B(6), 166-114B(9)

Brian Griffin – Home Owner – Sworn in by Board Attorney Daniel Bernstein, ESQ

- Mr. Griffin gave an overview of the two car garage that he would like to build and remove his shed.
- There is currently no garage on the property.

Exhibit A-1 Marked Tax Map Shown

- Blue marking shows Mr. Griffin’s home and the yellow highlights show the homes that currently have detached garages.
- There will not be a second story in the garage. The garage will be on the far left hand corner of the property.

Mr. Maceira

- Referred to the proposed site plan that was submitted to the Board and gave the setbacks that are proposed.

Mr. Griffin

- The garage materials will match the existing home.
- He will landscape around the garage to buffer from the neighbors.

7:53pm Opened to Public – Seeing None

7:53pm Closed to Public

Motion to approve with conditions.

Moved by Member Linfante, Seconded by Member Neidhardt

Members Voting “AYE” Vigilante, Fomchenko, Olsen, Hingos, Neidhardt, Linfante and Chairman Stanziale

Members Voting “NO” None

<b>3)</b>	<b>CASE NO.</b>	1748
	<b>APPLICANT</b>	230 Ridgedale Ave LLC
	<b>OWNER</b>	Robert S. Cook
	<b>LOCATION:</b>	230 Ridgedale Ave. Cedar Knolls
	<b>BLOCK:</b> 1702	<b>LOT:</b> 6
		<b>ZONE:</b> I-B3

Applicant seeks approval to use the property for residential and business purposes. The applicant is an affiliate of Pacific Lawn Sprinkler a commercial/residential lawn sprinkler firm. The manager will reside on the premises, operate a local office, park vehicles and operate the business during normal business hours which are Monday through Friday 8:00 Am to 4:00 PM. No nighttime business operations are contemplated. The applicant is proposing no new structures. An outdoor storage area for the storage of plastic irrigation pipe coils and a freestanding pylon sign are proposed. The applicant is seeking relief from sections 166-203(A)(8), 166124(A)(3), 166-147(B), 166-147(D)(1), 166-147(D)(3), 166-147(D)(4), 166-203.9(D). CASE PARTIALLY HEARD AND CARRIED FROM AUGUST 21, 2014

John Wychiskala – Attorney for Applicant

Continuation of hearing from August 21, 2014

Tung To Lam – Engineer for the applicant.

- Reviewed site plan sheet 1 of 3.
- Described the ID Sign. Proposed a 5 foot set back from the right of way and landscaping.
- 44x26.7 is dedicated to residential parking. A 12 foot wide gate opening is for residential use.
- 50X26.7 backyard area for residential.
- Will be surrounded by a 6 ft. high PVC Fence.
- 87 Sq. Feet of residence will be used as the office space.
- Proposing 5 commercial parking areas for vehicles.
- Described the commercial parking area and storage for commercial use items. Also described the fencing that would surround the commercial area.

Mr. Linfante

- Questioned the commercial vehicles and material storage on the site.

Mr. Brancheau & Mr. Maceira – Sworn by Board Attorney

Mr. Wychiskala & Mr. Brancheau discussed Mr. Brancheau’s report dated September 17, 2014.

Mr. Brancheau

- Questioned how the vehicles will be maneuvering the commercial vehicle and the trailer in the rear area of the site.

Mr. Olsen

- Questioned the size of the vehicles that would be on this site.

Mr. Delafoure

- Described the commercial vehicles that would be used on the property.
- The Ford Van E250 and a Landscaper Trailer approximately 15-16 feet for a total of 30-35 feet in total maneuvering the site.

Mr. Brancheau

- Expressed concern with the space allotted for maneuvering the commercial vehicles.

Mr. Olsen

- Confirmed that there would be lawn trailers, not tractor trailers on this site.

Mr. Linfante

- Questioned if there is growth within the company, what would happen if they need 3-4 commercial vehicles.

Mr. Wychiskala

- If the business grows, they would have to expand.

Open Discussion regarding commercial area for vehicles and paving on the site.

Mr. Lam

- Described the area that could be paved to help with maneuvering of vehicles. This area will not trigger storm water management requirements.

Mr. Brancheau

- Concerned with the business growing and mixing with the residential uses.
- Important for the Board to define the scope of the use.
- Would recommend the additional pavement but wants the Board to restrict the use of the paved area just to maneuvering of vehicles and not for parking or storage.

Exhibit A-1 – Marked up plan showing the proposed expanded paved area.

Mr. Bernstein, Mr. Brancheau, & Mr. Lam

- Discussed the proposed expanding paved area and also discussed how the paved area would be designed.

Extensive discussion regarding the maneuverability and proposed expanded paving.

Continued with the review of Mr. Brancheau's report.

Mr. Lam

- Addressed the parking setback area.

Mr. Brancheau

- Asked if a condition could be imposed so that the adjacent property could not use this property.

Mr. Maceira

- Addressed the issue of curbing.

Board

- Did not feel curbing is necessary.

Mr. Brancheau

- Questioned if the gravel area would be scraped up and landscaped.
- Not a fan of stone mulch due to the fact that it is hard to maintain weed growth.
- Discussed the illumination of the parking area. If they won't be parking at night, Mr. Brancheau does not have a concern with eliminating the lighting.

Mr. Linfante

- Asked for a condition that stated no customers would be coming to this site.

Mr. Brancheau

- Continued reviewing his report.

Mr. Maceira

- Would like to see a better movement for the residential use. Have the fence run along the common boundary.

Mr. DeleFore

- Concerned with running the fencing along the property line. He wants to keep the residential area fenced.
- Will work with Gerry and Blais on coming up with an acceptable fencing plan.

Mr. Brancheau

- Concerned with refuse disposal.

Mr. Wchiskala

- Re-iterated what was testified to at the first hearing regarding the commercial office activities.
- There will be incidental household waste. There will not be a dumpster on this site.

Mr. Lam

- Everything except for the 84 sq. ft. office, will be used as residential.
- There are no outside personnel coming in.

Mr. Wchiskala

- They will put in a sidewalk leading to the front steps.

Mr. Linfante

- Wants this site to be restricted to owner occupied.

Mr. Brancheau

- Questioned the roof drainage.

- Asked the Board to make a condition that if the drainage becomes an issue, it must be addressed and rectified.

Board

- The gravel area can remain, but the weeds must be addressed and kept under control.

Mr. Maceira

- Reviewed his report dated 8/27/14.

9:13pm – Open to Public – Seeing None

9:13pm - Closed to Public

Nancy Weaver-Smith – Planner for the applicant – Sworn by the Board Attorney

- Gave overview of professional and educational qualifications.

Board – Accepted as Professional Planner

Ms. Smith

- Addressed the Bulk variance issues.
- Addressed the “Use” Variance
- Described the surrounding properties and businesses.
- Described the activities and improvements on the site.

Mr. Lam

- The proposed sign will be 15 ft. from the curb line.

9:26pm Open to Public – Seeing none.

9:27pm Closed to Public

Motion to approve with conditions.

Moved by Member Mr. Hingos, seconded by Member Mr. Olsen

Members Voting “AYE” Vigilante, Fomchenko, Olsen, Hingos, Neidhardt and Chairman Stanziale

Members Voting “NO” None

<b>4)</b>	<b>CASE NO.</b>	1733
	<b>APPLICANT/OWNER</b>	CALDWELL INVESTORS, INC.
	<b>LOCATION:</b>	36 SOUTH JEFFERSON RD.
		CEDAR KNOLLS
	<b>BLOCK: 2904</b>	<b>LOT: 5</b>
		<b>ZONE: I</b>

Applicant is seeking Preliminary and Final Site Plan “C” and “D” variances to construct an indoor firing range with an area also for instruction/sales/mechanicals. Case partially heard on October 17, 2013 as well as May 15 and July 17, 2014.

James Pryor – Attorney for applicant

- Gave updates as to where they are on the procedural aspects.

Ms. Fomchenko – Recused herself from the case.

Mr. Pryor

- Continued with procedural aspects.
- Discussed the site plans that were submitted and how the site plans will be revised.
- Will have Mr. Rebels finish testimony this evening, if time permits, the Architect, Mr. Bias will testify.

Wayne Miller – Attorney on behalf of the objectors, Crossed examined Mr. Rebels.

- Questioned the proposed operations at this facility.

Mr. Rebels

- Explained at his current location they have had no incidents or issues where the Police needed to be called.

Mr. Miller and Mr. Rebels – Had an open discussion regarding alternative sites.

Mr. Pryor – Objected to Mr. Miller’s questioning the RTSP Site in Randolph

Mr. Stephen Bias – Architect for the applicant – Still under oath.

- Discussed the revised architectural plans dated August 5, 2014
- Removed a 56’X48” section of the building.
- Proposed building was 15,408 sq. ft. Proposed 12,720 sq. ft.
- Proposed retail was 2,500, now it is 1,500 sq. ft.
- Reviewed the remainder of the proposed building layout changes.
- Described the building entrances and how they will be utilized.
- Addressed the security camera locations.

Mr. Rebels

- State Police designate the security standards for the site.
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10:16pm Open to Public

Mark Siegel – Pastor of Abundant Life

- Wanted clarification on egress doors. Is there an alarm system to notify if the emergency doors are left opened?

Mr. Bias

- Will look into arming the egress doors for safety.



Mr. Rebels

- The hours of operation have not been determined yet. Hours will be determined by need.
- There will be set hours for the general public.

Lane Miller – Attorney for Rainbow Academy – The Objector

- Questioned the current operations at Mr. Rebel’s current location.

Mr. Pryor

- Will carry case to December 18 and grant an extension of time until December 31, 2014.

Chairman – No meeting on October 7, 2014. Holiday Party, December 2, 2014.

**III. ADJOURNMENT**

Meeting Adjourned at 10:32 P.M.

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KIMBERLY A. BONGIORNO, L.U.A.  
BOARD SECRETARY  
BOARD OF ADJUSTMENT  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY